BILL # SB 1024

SPONSOR: Hellon

REQUESTED BY: Senate

TITLE: vehicle restraint violations; enforcement

STATUS: As Introduced

PREPARED BY: Tony Vidale

FISCAL ANALYSIS

Description

This bill would allow peace officers to stop and issue a citation to motor vehicle operators solely for a vehicle restraint violation.

Estimated Impact

The fiscal impact of this bill cannot be determined. The bill could increase or decrease fine surcharge revenues collected and distributed to state agencies depending on whether officers make additional stops for vehicle restraint violations or make these stops in lieu of other motor vehicle violations, which carry higher fines. In addition, cities, and counties may experience an associated increase or decrease in fine revenues.

This fiscal analysis does not attempt to quantify any potential savings to the statewide healthcare system as a result of this legislation. If this legislation leads to greater use of seatbelts, there could be a reduction in the severity of personal injuries in auto accidents, and a potential reduction in emergency room and trauma center visits. If these reductions occur among the uninsured or AHCCCS populations, this legislation could lead to lower uncompensated care costs for hospitals and lower emergency room and other accident related medical costs for AHCCCS. To the extent that this legislation leads to savings in AHCCCS, there could be General Fund savings.

The Department of Public Safety (DPS) did not provide an estimated fiscal impact for this bill.

Analysis

Currently in Arizona, a peace officer may issue a citation for not wearing a safety belt only after the officer stops a vehicle or cites the offender for another infraction. Persons found responsible for a safety belt violation are subject to a maximum civil penalty of $10 per offense. SB 1024 would allow an officer to stop a vehicle and issue a citation when the officer observes an unbelted driver or passenger.

According to the Governor's Office of Highway Safety (GOHS), Arizona's seat belt usage rate in calendar year 2003 was 86%. In addition, the Arizona Department of Transportation (ADOT) reports there are approximately 4.1 million vehicles registered in the state. Based on these figures, JLBC Staff estimates 574,000 drivers could be stopped by Arizona peace officers for safety belt violations. The number of vehicle restraint citations written by peace officers as a primary offense, however, cannot be determined because it is unknown how many vehicles would be stopped or how many passengers would be cited for seat belt use. The JLBC estimate assumes no additional workload for DPS as a result of this bill because officers would have discretion over whether to stop motorist solely for vehicle restraint violations or focus on other essential tasks such as speed enforcement, accident investigations, or motorist assists. In FY 2003, 24,106 vehicle restraint citations or warnings were written by DPS as a secondary offense.

Fine surcharge revenues could increase if officers issue additional citations for vehicle restraint violations above the current level of citations issued. However, fine surcharge revenues could decrease if officers forego stopping motorists for violations that carry a larger fine compared to the vehicle restraint violation fine. The vehicle restraint violation, typically, has a lower fine relative to other motor vehicle fines. Currently, fine monies are directed to local jurisdictions and the surcharge monies (80% of the fine amount) are deposited into various state and county funds. The General Fund is allocated 9% of the surcharge monies distributed to the Criminal Justice Enhancement Fund; however, these monies are currently redirected to the Crime Laboratory Assessment Fund for DPS crime laboratory expenditures.

Local Government Impact

Cities and counties could experience an associated increase or decrease in fine revenues depending on officers' ability to write additional citations without substituting the current level of motor vehicle citations written.

3/15/04